

REMARKS

Claims 29-32 are presented for consideration, with Claims 29 and 32 being independent.

Claims 29-32 have been added to replace cancelled Claims 1, 2, 4, 5, 7-9, 27 and 28.

In view of the cancellation of the previously presented claims, it is submitted that the art rejections under 35 U.S.C. §103 are moot and should be withdrawn. Namely, Claims 1, 2, 4, 9, 27 and 28 were rejected under 35 U.S.C. §103 as allegedly being obvious over Hamilton '874 in view of Toffolo '247. In addition, Claims 5, 7 and 8 were rejected as allegedly being obvious over those citations and further in view of Abe (JP '889) (Claim 5), Dimitrova '123 (Claim 7), or Dimitrova and Ward '424 (Claim 8).

It is further submitted that Applicants' invention as set forth in Claims 29 and 32 is distinguishable over the cited art.

In Claim 29, an image processing apparatus is comprised of an input unit for inputting video image data, an icon image generation unit for generating icon image data, a synthesizing unit for synthesizing the video image data and the icon image data, and a display control unit for displaying video and icon images based on the synthesized video and icon image data on a monitor. In addition, a control unit controls the synthesizing unit so as to change a display position of the icon image at each time when displaying of the icon image starts, and so as not to change the display position of the icon image during the display of the icon image.

Claim 32 relates to an image processing method of synthesizing and displaying an input image and an icon image, and comprises a controlling step of controlling a display position of the icon image to change each time of starting of the displaying of the icon image, and to not change the display until an end of the displaying of the icon image.

In accordance with Applicants' claimed invention, a high performance image processing apparatus can be provided.

As discussed in the previous Amendment of August 22, 2007, the Hamilton patent relates to a method for reducing phosphor burning of a CRT monitor screen by periodically changing the location of textural information overlaid onto a video image. Hamilton is relied on in the Office Action for a teaching of display control means, and a synchronous signal transform unit, and is said to teach moving pixels within a range of 1 to 5 pixels.

The secondary citation to Toffolo relates to a display system and is relied upon for a teaching of accumulating a display time at each shift pattern. In Toffolo, illuminated pixels of an image 30 in a display 22 are controlled by a display controller. The image to be displayed is controlled in a first position for a first predetermined time period, first and second positions for a predetermined time period, and then in a second position for a second predetermined time period.

In contrast to Applicants' claimed invention, however, neither Hamilton nor Toffolo teach or suggest an image processing apparatus that includes, among other features, a control unit for controlling a synthesizing unit so as to change a display position of the icon

image at each time when displaying of the icon image starts, and so as not to change the display position of the icon image during the display of the icon image, as set forth in Claim 29.

In both Hamilton and Toffolo, however, display position of an image is changed at a constant time period or schedule, such as a few times per minute (see Hamilton, paragraph [0029]) or every 0.1 second (see Toffolo, column 2, lines 32-35). The art fails to control a display position of the icon image to change at each time when displaying of the icon image starts and so as not to change the display position of the icon image during the display of the icon image. Similarly, Claim 32 features an image processing method in which a control step controls a display position of an icon image to change each time of starting of the display of the icon image and to not change until an end of the displaying of the icon image.

Support for the new claims can be found, for example, in Figure 5 and the accompanying specification on page 17, line 7, *et. seq.*

The tertiary citations to Abe, Dimitrova and Ward were discussed in the previous Amendment of August 22, 2007, and those comments are incorporated herein by reference. These tertiary citations fail to compensate for the deficiencies in Hamilton and Toffolo as discussed above with respect to Claims 29 and 32.

Accordingly, it is submitted that Applicants' invention as set forth in independent Claims 29 and 32 is patentable over the cited art. In addition, dependent Claims 30 and 31 set forth additional features of Applicants' invention. Independent consideration of the dependent claims is respectfully requested.

Due consideration and prompt passage to issue are respectfully requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

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